

JS 44 (Rev. 12/07)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

SELOC PUBLISHING INC AND MARINE INFORMATION TECHNOLOGY

(b) County of Residence of First Listed Plaintiff CHESTER COUNTY, PA
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

JOHN M. CLOSE, ESQUIRE, 1554 PAOLI PIKE, #266
WEST CHESTER, PA 19380 610-436-1841

DEFENDANTS

WALSTON, WILLIAM AND LISA, READMANUALWORLD AND RMW, INC

County of Residence of First Listed Defendant ALACHUA COUNTY, FL
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input checked="" type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition		

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (specify)
- ☐ 6 Multidistrict Litigation
- ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

17 U.S.C. 501

Brief description of cause:

DEFENDANTS HAVE WILLFULLY COPIED AND SOLD PLAINTIFF'S COPYRIGHTED MATERIALS

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

I. (a) Plaintiffs-Defendants. Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

III. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

IV. Nature of Suit. Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

V. Origin. Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553
Brief Description: Unauthorized reception of cable service

VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII. Related Cases. This section of the JS 44 is used to reference related pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania ☐

SELOC PUBLISHING, INC AND MARINE
INFORMATION TECHNOLOGY LLC

Plaintiff

v.

WILLIAM WALSTON AND LISA WALSTON,
REPAIRMANUALWORLD AND RMW, INC

Defendant

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)
)
)
)
)
)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* WILLIAM AND LISA WALSTON, REPAIRMANUALWORLD AND RMW, INC
9200 NW 39TH AVENUE, GAINESVILLE, FLORIDA 32606

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 12/09) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

4. The Defendant, RMW, Inc., is, on information and belief, a corporation, partnership, sole proprietorship or other type of business entity with a place of business at 9200 NW 39th Avenue, Gainesville, Florida 32606.

5. Defendants William Walston and Lisa Walston are adult individuals residing at 43 Forest Lane, Bronson, Florida and are the owners, partners, proprietors or otherwise legally responsible representatives of defendants Repairmanualworld and RMW, Inc.

JURISDICTION AND VENUE

6. Jurisdiction is conferred in this matter pursuant to 15 U.S.C. § 1121 and 28 U.S.C. §§ 1331, 1332 and 1338. The matter in controversy exceeds \$50,000.00. The unlawful acts complained of herein have been committed by Defendants within this judicial district and have had or will have effect in this judicial district and venue in this action lies in this District under 28 U.S.C. §1391(b) and (c), and 1400(a). On information and belief, the infringing product is sold, inter alia, in Pennsylvania.

FACTS

7. Plaintiff SELOC and its predecessor, Marine Information Technology, LLC, is a publisher of marine engine repair manuals, CD's and online publications distributed and sold under the name, Seloc.

8. Plaintiff SELOC has built up substantial goodwill and customer recognition and identification of its publications through extensive distribution and sale of such products in the United States and throughout the world.

9. SELOC has sold substantial quantities of its publications to consumers through numerous retailers, online and internet sales. Through extensive promotion and marketing, SELOC's publications have come to be known to and recognized by consumers and retailers as

unique products emanating from SELOC.

10. Plaintiff SELOC has promoted and sold its publications in interstate commerce continuously since long prior to any use thereof by Defendants.

11. From the time said works were created to present day Plaintiff SELOC has complied in all respects with Title 17, U.S.C., and all other laws governing copyrights and has secured the exclusive rights and privilege and has registered its copyrights with the Register of Copyrights, Library of Congress. Attached as Exhibit 1 are copies of Plaintiff's registrations for certain of such copyrights which are currently in force.

12. Upon information and belief, Defendants had access to certain of the Plaintiff's Works.

13. Defendants have used and/or made substantially similar reproductions of such Works in connection with their offering to sell, and sale of marine repair manuals, cd's and internet publications.

14. Defendants are engaged in acts of manufacturing and promoting sales of manuals and cd's which have been reproduced verbatim from some or all of SELOC's aforementioned manuals/cd's.

15. The aforementioned manuals/cd's are exactly the same as SELOC's manuals/cd's.

16. Upon information and belief, the manuals/cd's being reproduced and sold by Defendants, were willfully and intentionally copied by Defendants from SELOC's manuals/cd's.

17. Upon information and belief, the manuals/cd's being sold by Defendants were willfully and intentionally copied by Defendants from SELOC's manuals/cd's or online publications with intent to trade on and benefit from the association in the mind of purchasers of SELOC's manuals, cd's and online publications with reputation enjoyed by SELOC in those and

other products.

VIOLATION OF COPYRIGHT LAWS

18. Plaintiff repeats and realleges paragraphs 1-17 as if set forth fully herein.

19. Upon information and belief, and notwithstanding prior notice to Defendants of SELOC'S copyrights, Defendants have willfully and deliberately infringed Plaintiff's copyrights in violation of 17 U.S.C. §501 by copying and/or unlawfully using or creating derivative works based on Plaintiff's Works, in the manufacture and/or sale of Defendants' manuals, cd's, online publications, advertising, or promotions thereof, which copies were exactly similar to SELOC'S as set forth in Exhibit 1.

20. Plaintiff has been damaged by the aforesaid activities and conduct of the Defendants.

21. Plaintiff has no adequate remedy in law concerning the aforesaid activities and conduct of the Defendants.

22. Plaintiff is entitled to an award of damages for each infringement under 17 U.S.C. §504.

23. Plaintiff is entitled to an award of increased damages for the willful infringement by Defendants.

24. Plaintiff is entitled to an award of its attorneys fees and costs under 17 U.S.C. §505.

WHEREFORE, the Plaintiff prays:

1. That Defendants, their agents, officers, servants, employees, privies, successors, assigns and subsidiaries, and all those holding by, through or under them, and all those who receive notice of such, be preliminarily and permanently enjoined and restrained from:

a. using the Plaintiff's Copyrights in marine engine repair manuals, cd's and other materials relating to Plaintiff's marine repair manuals, or making any counterfeit copy or colorable imitation thereof in connection with the manufacture, distribution and sale of marine repair manuals.

b. using in any way any of Plaintiff's Works or derivative works based thereon; and

c. selling or offering for sale any marine repair manual, cd, online publication which are exactly the same or confusingly similar to any SELOC publication.

2. That Defendants be required to account to Plaintiff for all profits realized by Defendants from the sale of marine repair manuals, cd's and online publications that are the same or substantially or confusingly similar to SELOC'S marine repair manuals, cd's or online publications.

3. That Plaintiff be awarded its damages for the injury to goodwill and reputation caused by Defendants, including damages for lost sales and price erosion caused by Defendant's infringing acts.

4. That all damages be trebled because of the deliberate and willful nature of these acts, and that costs and attorneys' fees be awarded Plaintiff as provided under 15 U.S.C. §1117 and otherwise.

5. That Defendants be required to pay to Plaintiff damages in consequence of Defendants infringement of Plaintiff's copyrights as provided by the Copyright law, including statutory damages.

6. That the Defendants be required to pay to Plaintiff the costs of this action and reasonable attorneys fees to be allowed to the Plaintiff by the Court.

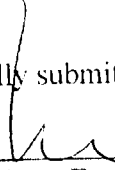
7. That the Plaintiff have such other and further relief as the Court deems just.

JURY DEMAND

Plaintiff demands trial by jury on all counts in this Complaint.

Respectfully submitted,

Date: _____



John M. Close, Esquire
1554 Paoli Pike, #266
West Chester, PA 19380
Telephone: (610) 436-1841
Facsimile: (610) 436-1841
Email: jclose23@verizon.net

RepairManualWorld.com	Seloc #	TX #
1974-91 Kawasaki JetSki & PWC Service Repair Manual	9200/9202	4-772-378
1988-03 Suzuki Outboard 2-225 hp Service Repair Manual	1600	6-628-550
1998-05 Yamaha Outboard 2-250 hp Service Repair Manual	1703	6-626-989
1984-96 Yamaha Outboard Service Repair Manual	1701	6-626-885
1974-91 Evinrude Johnson Outboard 60-235 hp Service Repair Manual	1308	5-211-799
1972-01 Evinrude Johnson Outboard 65-250 hp Service Repair Manual	1308/1311	6-628-551
1965-91 Mercruiser Service Repair Manual	3200	5-211-810
1992-01 Mercruiser Service Repair Manual	3206	5-832-281
2001-06 Mercruiser Service Repair Manual	3208	6-626-991
1966-89 Mercury Outboard 90-300 Service Repair Manual	1408	5-211-790
1990-02 Mercury Outboard 2.5-275 Service Repair Manual	1416	5-832-279

3/2/2011

